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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,153	12/01/2003	Yasunori Tsunomoto	Q78678	1607

23373 7590 05/30/2006

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EXAMINER

NGUYEN, KHAI MINH

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/724,153

Applicant(s)

TSUNOMOTO ET AL.

Examiner

Khai M. Nguyen

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 9-19, 21, 25-33, 35, 39-41 and 43 is/are rejected.
- 7) ☒ Claim(s) 4, 6-8, 20, 22-24, 34, 36-38, 42 and 44-46 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/31/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-46 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement filed on January 31, 2006 have been considered by the examiner (see attached PTO-1449 form or PTO/SB/08A and 08B forms)

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 11-18, 27-32, and 39-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Greening et al. (U.S.Pub-20040019584).

Regarding claim 1, Greening teaches a information terminal device comprising:

a wireless local area network (LAN) access section (fig.2, mobile station, location directory sever, data base, paragraph 0007-0008, 0099, 0103);

a search section which searches for wireless LAN access hot spot data based on criteria for wireless LAN location in or near places not currently in a reception range of the wireless LAN access section where a user desires to access a wireless LAN (fig.3-4, paragraph 0009, 0108-0110); and

a display section which displays the wireless LAN access hot spot data indicating location of the wireless LAN access hotspots (fig.4, paragraph 0076, 0119, 0122).

Regarding claim 2, Greening teaches a information terminal device comprising:

a wireless local area network (LAN) accesses section (fig.2, mobile station, location directory sever, data base, paragraph 0007-0008, 0099, 0103);

a sending section which sends to a server user generated wireless LAN access hot spot criteria for wireless LAN locations in or near places not currently in a reception range of said wireless LAN access section where a user desires to relocate to access a wireless LAN (fig.2-4, paragraph 0007-0009, 0108-0110);

a receiving section which receives wireless LAN access hot spot data from said server (fig.3-4, paragraph 0009, 0108-0110), wherein said wireless LAN access hot spot data indicates wireless LAN locations in or near places not currently in a reception range of the wireless LAN access section where a user desires to relocate to access a wireless LAN (fig.3-4, paragraph 0009, 0108-0110); and

a display section which displays said wireless LAN access hot spot data (fig.4, paragraph 0076, 0119, 0122).

Regarding claim 11, Greening teaches the information terminal device according to claim 1, wherein said hot spot data includes a first map data indicating a first area containing said place of said hot spot (fig.4, paragraph 0076, 0119, 0122),

said display section displays one of said first map data and a second map data indicating a second area containing said first area (fig.4, paragraph 0076, 0119, 0122), and

said display section displays places of hot spots which are in said second area except for said first area (fig.4, paragraph 0076, 0119, 0122).

Regarding claim 12, Greening teaches the information terminal device according to claim 1, wherein said search section updates said hot spot data without any operation by said user (fig.6, paragraph 0110, 0142).

Regarding claim 13, Greening teaches the information terminal device according to claim 1, wherein said display section displays a first hot spot and a second hot spot distinguishably (fig.6, paragraph 0110, 0142), said first hot spot can be used for said user, and said second hot spot can not be used for said user (fig.6-7, paragraph 0152-0153).

Regarding claim 14, Greening teaches the information terminal device according to claim 1, further comprising:

a memory which stores a setting data that is used for accessing said wireless LAN in said hot spot and was stored when accessing said wireless LAN last time in said

hot spot (fig.2, mobile station, location directory sever, data base, paragraph 0007-0008, 0156).

Regarding claim 15, Greening teaches the information terminal device according to claim 1, wherein said wireless LAN location criteria are inputted by said user (fig.6-7, paragraph 0152-0153).

Regarding claim 16, Greening teaches the information terminal device according to claim 1, wherein said wireless LAN access hot spot data is the place which the information terminal device detects (fig.6-7, paragraph 0152-0153).

Regarding claim 17, Greening teaches a PC card connected with an information terminal device having a display section and used for accessing a wireless local area network (LAN) (fig.4, paragraph 0076, 0119, 0122, *terminal device always has memory or PC card, or SIM*) comprising:

a search section which searches for wireless LAN access hot spot data based on user criteria for wireless LAN locations in or near places not currently in a reception range of the wireless access section where a user desires to relocate to access a wireless LAN (fig.3-4, paragraph 0009, 0108-0110);

wherein said search section outputs said wireless LAN access hot spot data to said display section (fig.4, paragraph 0076, 0119, 0122).

Regarding claim 18, Greening teaches a PC card which is connected with an information terminal device having a display section and used for accessing a wireless

local area network (LAN) (fig.4, paragraph 0076, 0119, 0122, *terminal device always has memory or PC card, or SIM*), the PC card comprising:

a sending request outputting section which outputs a request that a server send wireless LAN access hot spot data based on user criteria for wireless LAN locations in or near places not currently in a reception range of the wireless LAN access section where a user desires to relocate to access a wireless LAN (fig.2-4, paragraph 0007-0009, 0108-0110); and

an output request outputting section which outputs an request that said display section display said wireless LAN access hot spot data received from said sever (fig.4, paragraph 0076, 0119, 0122),

Regarding claim 27, Greening the PC card according to claim 17, wherein said hot spot data includes a first map data indicating a first area containing said place of said hot spot (fig.4, paragraph 0076, 0119, 0122),

said search section outputs a signal for displaying one of said first map data and a second map data indicating a second area containing said first area (fig.4, paragraph 0076, 0119, 0122), and

said search section outputs a signal for displaying places of hot spots which are in said second area except for said first area (fig.4, paragraph 0076, 0119, 0122).

Regarding claim 28, Greening teaches the PC card according to claim 17, wherein said search section updates said hot spot data without any operation by said user (fig.6, paragraph 0110, 0142).

Regarding claim 29, Greening teaches the PC card according to claim 17, wherein said search section outputs a signal for displaying a first hot spot and a second hot spot distinguishably, said first hot spot can be used for said user (fig.6, paragraph 0110, 0142), and said second hot spot can not be used for said user (fig.6-7, paragraph 0152-0153).

Regarding claim 30, Greening teaches the PC card according to claim 17, further comprising:

a memory which stores a setting data that is used for accessing said wireless LAN in said hot spot and was stored when accessing said wireless LAN last time in said hot spot (fig.2, mobile station, location directory sever, data base, paragraph 0007-0008, 0156).

Regarding claim 31, Greening teaches a method of finding wireless LAN access hot spots in or near wireless LAN locations where a user desires to relocate to access a wireless LAN (fig.3-4, paragraph 0009, 0108-0110), the method comprising:

searching for wireless LAN access hot spot data based on user criteria for wireless LAN locations in or near places not currently in a reception range of the wireless LAN access section where a user desires to relocate to access a wireless LAN (fig.3-4, paragraph 0009, 0108-0110); and

displaying said wireless LAN access hot spot data based on a searching result (fig.4, paragraph 0076, 0119, 0122).

Regarding claim 32, Greening teaches a method of finding wireless LAN access hot spot in or near wireless LAN locations where a user desires to relocate to access a wireless LAN (fig.3-4, paragraph 0009, 0108-0110), the method comprising:

sending to a server user generated wireless LAN access hot spot criteria for wireless LAN locations in or near places not currently in a reception range of the wireless LAN access section where a user desires to relocate to access a wireless LAN (fig.2-4, paragraph 0007-0009, 0108-0110);

receiving wireless LAN access hot spot data from said server (fig.3-4, paragraph 0009, 0108-0110), wherein said wireless LAN access hot spot data indicates wireless LAN locations in or near place not currently in a reception range of the wireless LAN access section where a user desires to relocate to access a wireless LAN (fig.2-4, paragraph 0007-0009, 0108-0110); and

displaying said wireless LAN access hot spot data (fig.4, paragraph 0076, 0119, 0122).

Regarding claim 39, Greening teaches a computer program product embodied on a computer-readable medium and comprising code that, when executed for a method of finding wireless LAN access hot spot in or near wireless LAN locations where a user desires to relocate to access a wireless LAN (fig.2-4, paragraph 0007-0009, 0108-0110), causes a computer to perform the following:

searching for wireless LAN access hot spot data based on user criteria for wireless LAN locations in or near places not currently in a reception range of the wireless LAN access section where a user desires to relocate to access a wireless LAN (fig.2-4, paragraph 0007-0009, 0108-0110); and

displaying wireless LAN access hot spot data indicating a place of said hot spot based on a searching result (fig.4, paragraph 0076, 0119, 0122).

Regarding claim 40, Knotsson teaches a computer program product embodied on a computer-readable medium and comprising code that, when executed for a method of finding wireless LAN access hot spot in or near wireless LAN locations where a user desires to relocate to access a wireless LAN (fig.2-4, paragraph 0007-0009, 0108-0110), causes a computer to perform the following:

sending to a server user generated wireless LAN access hot spot criteria for locations in or near places not currently in a reception range of the wireless LAN access section where a user desires to relocate to access a wireless LAN (fig.2-4, paragraph 0007-0009, 0108-0110);

receiving wireless LAN access hot spot data from said server (fig.3-4, paragraph 0007-0009, 0108-0110), wherein said wireless LAN access hot spot data indicates wireless LAN locations in or near places not currently in a reception range of the wireless LAN access section where a user desires to relocate to access a wireless LAN (fig.2-4, paragraph 0007-0009, 0108-0110); and

displaying said wireless LAN access hot spot data (fig.4, paragraph 0076, 0119, 0122).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5, 9-10, 19, 21, 25-26, 33, 35, 41, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greening et al. (U.S.Pat-20020006788) in view of Odakura et al. (U.S.Pat-6922634).

Regarding claims 3, 19, 33, and 41, Greening teaches the information terminal device according to claim 1, the PC card according to claim 17, the method of finding a hot spot according to claim 31, and the computer program product according to claim 39

Greening fails to specifically disclose wireless LAN access hot spot criteria include a telephone number in an area where a user desires wireless LAN access hot spot location data. However, Odakura teaches a measuring device, with a display mode able to display map elements specified by the user selected from a list of map elements, and Odakura teaches the desire place data includes a telephone number of said desire place (fig.13, col.11, lines 29-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the desire place data includes a telephone number of said desire place as taught by Odakura with

Greening teaching in order to provide the user easily correct the location since the map elements existing in the specified domain.

Regarding claims 5, 21, 35, and 43 Greening teaches the information terminal device according to claim 1, the PC card according to claim 17, the method of finding a hot spot according to claim 31, and the computer program product according to claim 39

Greening fails to specifically disclose wireless LAN access hot spot criteria include an address in an area where a user desires wireless LAN access hot spot location data. However, Odakura teaches a measuring device, with a display mode able to display map elements specified by the user selected from a list of map elements, and Odakura teaches the desire place data includes an address of said desire place (fig.13, col.11, lines 29-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the desire place data includes an address of said desire place as taught by Odakura with Greening teaching in order to provide the user easily correct the location since the map elements existing in the specified domain.

Regarding claims 9-10, 25-26, Greening teaches the information terminal device according to claim 1, the PC card according to claim 17

said search section searches an area map data indicating a map of an area which corresponds to said area code and zipcode (fig.6-7, paragraph 0110, 0142, 0152-0153),

said display section displays said area map data searched by said search section (fig.4, paragraph 0076, 0119, 0122), and

said search section searches said hot spot data of said hot spot in or near a specific area which is a part of said area and selected by said user (fig.2-4, paragraph 0007-0009, 0108-0110).

Greening fails to specifically disclose wireless LAN access hot spot criteria include an area code for telephone number in an area where a user desires wireless LAN access hot spot location data. However, Odakura teaches a measuring device, with a display mode able to display map elements specified by the user selected from a list of map elements, and Odakura teaches the desire place data includes an area code for a telephone number, and zip code of said desire place (fig.13, col.11, lines 29-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the desire place data includes an area code for a telephone number, and zip code of said desire place as taught by Odakura with Greening teaching in order to provide the user easily correct the location since the map elements existing in the specified domain.

Allowable Subject Matter

5. Claims 4, 6-8, 20, 22-24, 34, 36-38, 42, and 44-46 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571.272.7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Khai Nguyen
Au: 2617

5/21/2006


CHARLES APPIAH
PRIMARY EXAMINER